



NEPA Categorical Exclusion Determination Form

Program or Field Office: U.S. Department of Energy (DOE) Office of Legacy Management (LM)

Project Title: Routine Inspections, Monitoring, and Maintenance at the Falls City, Texas, Disposal Site (Uranium Mill Tailings Radiation Control Act Title I)

Location: Falls City, Texas, Disposal Site

Proposed Action or Project Description:

Conduct routine inspections, monitoring, maintenance, and general site activities at the Falls City, Texas, Disposal Site, which are required to satisfy requirements of the long-term surveillance of the site. These activities would occur at any time throughout the year, as needed, and be performed in a manner that protects human health and the environment.

The Falls City site would be visually inspected annually; however, some factors could require more frequent inspections (e.g., stakeholder feedback or weather-related issues). Monitoring includes onsite and offsite environmental monitoring and groundwater sampling. Other site activities include land survey work and agricultural reuse agreement activities (haying onsite). Routine maintenance is performed by a subcontractor. The maintenance items would include the following: (1) mowing and removal of grass on the disposal cell top and between the disposal cell and site boundary, (2) fertilizing the grass-covered portions of the site as necessary, (3) cutting deep-rooted woody vegetation and applying a systemic herbicide to the stumps on the rock-covered side slopes of the disposal cell and in the drainage ditch outlets, and (4) other maintenance tasks as necessary to maintain vegetation in good condition on grass-covered areas. (5) fence and well repair, as needed. Several of the groundwater monitoring wells are located offsite on privately owned properties. Landowners are contacted to obtain access when sampling would occur.

There are no significant lakes, ponds or other surface water features near the site. The site is within range of the monarch butterfly, a federal candidate species, but monarchs are unlikely to be affected. Texas tortoise, a state-listed species, may also be present. If a tortoise is observed during site activities, it would not be disturbed, and herbicide spraying would be paused until the tortoise has moved out of the area. Many of the activities could disturb migratory birds or their habitat, especially during nesting season. If active nests are found in work areas, work would be paused and avoidance or mitigation measures would be implemented before work continues.

No ground disturbing activity is proposed; therefore Section 106 consultation under the National Historic Preservation Act is not required.

Categorical Exclusion(s) Applied:

- B1.3 Routine Maintenance, B3.1 Site Characterization and Environmental Monitoring

For the complete DOE National Environmental Policy Act (NEPA) regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of Title 10 *Code of Federal Regulations* Section 1021 (10 CFR 1021).

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

- The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

- There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.



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- The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized by the LM Director per DOE Policy 451.1), I have determined that the proposed action fits within the specified classes of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

**NEPA Compliance Officer Signature and
Determination Date**

Joyce E. Chavez

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Chavez
Date: 2022.02.25 09:26:49 -07'00'
